



June 28, 2024

VIA ECF

Honorable Rukhsanah L. Singh, U.S.M.J.
United States District Court
District of New Jersey
Clarkson S. Fisher Fed. Bldg. & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

**Re: *In re: Insulin Pricing Litigation*, No. 2:23-md-03080-BRM-RLS
MDL No. 3080
State AG Position Statement on Plaintiff Fact Sheets**

Dear Judge Singh:

We write on behalf of the State Co-Leads in MDL #3080 on the subject of State AG Plaintiff Fact Sheets.

CMO #10 memorializes the Court's priority "to promote the just and efficient conduct of this litigation, conserve judicial and party resources, minimize duplicative discovery and serve the convenience of the parties and the witnesses." CMO #10 at 1.

The State Attorneys Generals' proposal that discovery from the States should initially be produced via the proposed State AG Plaintiff Fact Sheets (Exh. A) achieves every one of the above objectives and is sound for all the reasons stated in our May 8, 2024 submission (Dkt. 168), which is incorporated herein.

The States are well aware, from the discovery served and responded to in their cases prior to this MDL's formation, what type of information and documents/data defendants seek.

The States' proposed fact sheets are meant to supply those details without burdening the Court or requiring immediate protracted formal responses and/or meet and confer processes. The proposed fact sheets also include agreed- upon document/data requests.

To the extent defendants require more in this first round of discovery, plaintiffs have invited defendants to identify what that more is.

Defendants have refused to engage other than through a formal discovery process. They have rejected the States' approach outright.

The States propose that efficiency would favor the prompt and expansive disclosures and productions contemplated in the State AG Plaintiff Fact Sheets followed by an orderly process for supplemental discovery thereafter. This is precisely what CMO #10 contemplates "The parties shall meet and confer regarding a timeline for documents to be produced in this litigation and any

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supplemental discovery requests following the exchange of the Master Discovery Requests and/or Plaintiff Fact Sheets.”


Plaintiff States propose to serve their fact sheets- and commence rolling productions of the documents/data agreed- to within sixty days (60) of entry (and subject to timely entry of the ESI Protocol and any related orders).

Plaintiff States respectfully request a date for oral argument on this issue at the Court’s earliest convenience.

Respectfully submitted,



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Enclosure

cc: Counsel of Record (*via* ECF)